

RESOLUTION NO. 97-58

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
TO APPROVE AND ENTER INTO A COOPERATIVE AGREEMENT  
(INCLUDING DELEGATION AND SETTLEMENT AGREEMENTS) WITH  
CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

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WHEREAS, the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") has conducted soil and groundwater investigations in the City of Lodi ("Site"); and

WHEREAS, as a result of these investigations, multiple areas of soil and subsurface contamination by tetrachloroethene, trichloroethene and other chlorinated solvents have been detected throughout the Site; and

WHEREAS, as a result of these investigations and the discovery of the contamination, the City Council of the City of Lodi has grown increasingly concerned about the protection of public health, safety, welfare, the environment and natural resources within the jurisdiction of the City of Lodi, and the preservation and restoration of property values within the City of Lodi; and

WHEREAS, as a result of these growing concerns, the City Council for the City of Lodi has directed its City Attorney to develop a Comprehensive Enforcement Strategy to eliminate the extensive soil and groundwater contamination which presents, may present or threatens to present an imminent and substantial endangerment to the public health, welfare or the environment in the City of Lodi, California; and

WHEREAS, in order to implement this Comprehensive Enforcement Strategy, the City Attorney for the City of Lodi recommends that the City Council for the City of Lodi approve and enter into the Comprehensive Joint Cooperative Agreement (Including Related Delegation and Settlement Agreements) Between the California Department of Toxic Substances Control and the City of Lodi, California Relating to the Investigation and Abatement of the Hazardous Substance Contamination In and Affecting the City of Lodi, California ("Cooperative Agreement").

NOW, THEREFORE, BE IT RESOLVED, that, based on the above, the City Council for the City of Lodi does hereby approve and enter into the Cooperative Agreement with DTSC and agrees to be bound by the terms and conditions of the Cooperative Agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that, based on the above, the City Council for the City of Lodi does hereby order its City Manager to execute and its City Attorney to approve as to form the Cooperative Agreement.

Dated: May 6, 1997

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I hereby certify that Resolution No. 97-58 was passed and adopted by the City Council of the City of Lodi in a special meeting held May 6, 1997, by the following vote:

AYES: COUNCIL MEMBERS - Land, Mann, Sieglock, Warner  
and Pennino (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
JENNIFER M. PERRIN  
City Clerk